

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 7176 of 2005

Between:

Gunda Swamy Goud, S/o. Yellaiah Goud,
Toddy Cooperative Society, Velgonda Village,

Veepanagandla Mandal, Mahaboobnagar District.

..... PETITIONER

AND

The Superintendent of Prohibition and Excise,

Mahaboobnagar District at Mahaboobnagar.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus directing the respondent to restore the Toddy Cooperative Society Licence No.8, Velgonda village, Veepanagandla Mandal, Mahaboobnagar District, valid from 25-4-2002 to 31-3-2007 in view of the acquittal in c.c.No. 2/2003 dt. 4-3-2005 and consequently direct the respondent to consider the representation dt. 29-3-2005 in respect of Toddy Cooperative Society, Velgonda village, Veepanagandla Mandal, Mahaboobnagar district, and pass such other order or orders as this Hon'ble Court may deem fit and proper.

Counsel for the Petitioner: MR.B.SAI RAM GOUD

Counsel for the Respondent: GP FOR PROHIBITION & EXCISE

The Court at the admission stage made the following :

ORDER:

Heard both the sides.

The petitioner is the President of Toddy Cooperative Society of Velgonda Village, Veepanagandla Mandal, Mahaboobnagar District. The facts of the case are that on noticing certain irregularities, a Calendar Case being C.C.No.2 of 2003 has been filed against the petitioner, and the same ended in acquittal. During the pendency of the said Calendar Case, the licence of the society was cancelled by the competent authority on the alleged ground of adulteration. Even after the acquittal in C.C.No.2 of 2003, the order of cancellation of licence is still subsisting. Now, it is the prayer of the petitioner that the order of acquittal in C.C.No.2 of 2003 may be considered for restoration of the licence for the remaining period of licence. It appears that a representation has already been filed in this regard and the same is pending.

In view of the fact that the petitioner has already made a representation, the respondents are directed to consider and dispose of the same in accordance with law, as expeditiously as possible.

With the above observation, the writ petition is disposed of. There shall be no order as to costs.

05.04.2005

Jsu

To

1) The Superintendent of Prohibition and Excise,

Mahaboobnagar District at Mahaboobnagar.

2) Two CCs to the G.P for Prohibition and Excise, High Court of A.P.,
Hyderabad(O.U.T).

3) 2 CD copies